

From: 68295-06159634@requests.muckrock.com <68295-06159634@requests.muckrock.com>
Sent: Wednesday, May 22, 2019 8:24 AM
To: FOIA-CEII
Cc: FOIA-CEII
Subject: RE: Freedom of Information Act Request: Enron datasets

Federal Energy Regulatory Commission
FOIA Office
888 First Street Northeast
Washington, DC 20426
May 22, 2019
This is a follow up to a previous request:

Both, for all dates since their first posting.

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Upload documents directly:
https://accounts.muckrock.com/accounts/login/?url_auth_token=AAAawyQJctRkvxj5UXjeYM6dEM4%3A1hTQIL%3AGa-kIq-Haz7_MbWznCi2KHvGgc&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Ffederal-energy-regulatory-commission-206%252Fenron-datasets-68295%252F%253Femail%253DFOIA-CEII%252540ferc.gov

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):
MuckRock News
DEPT MR 68295
411A Highland Ave
Somerville, MA 02144-2516

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From: 68295-06159634@requests.muckrock.com <68295-06159634@requests.muckrock.com>

Sent: Monday, February 11, 2019 11:29 AM

To: FOIA-CEII

Cc: FOIA-CEII

Subject: RE: Freedom of Information Act Request: Enron datasets

Federal Energy Regulatory Commission

FOIA Office

888 First Street Northeast

Washington, DC 20426

February 11, 2019

This is a follow up to a previous request:

It most certainly does not satisfy the request, as the materials on the website are not available, and the CACI data was removed. Further when I contacted CACI about it, they told me that FERC itself had removed the materials "for review" for unknown reasons, and that they were unaware of when or even if it would become available again. A review of the Internet Archive's Wayback Machine shows that the materials have been unavailable for years.

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Upload documents directly:

https://www.muckrock.com/accounts/agency_login/federal-energy-regulatory-commission-206/enron-datasets-68295/?email=FOIA-CEII%40ferc.gov&uuid-login=3754bcf3-8404-44e9-9066-1caa757942f5#agency-reply

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From: 68295-06159634@requests.muckrock.com <68295-06159634@requests.muckrock.com>

Sent: Tuesday, January 29, 2019 6:47 PM

To: FOIA-CEII

Subject: Freedom of Information Act Request: Enron datasets

Federal Energy Regulatory Commission

FOIA Office

888 First Street Northeast

Washington, DC 20426

January 29, 2019

To Whom It May Concern:

Pursuant to the Freedom of Information Act, I hereby request the following records:

Materials relating to, describing or mentioning the release, unpublication and re-review of Enron datasets maintained by FERC and its corporate partners.

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 20 business days, as the statute requires.

Sincerely,

Emma Best

Filed via MuckRock.com

E-mail (Preferred): 68295-06159634@requests.muckrock.com

Upload documents directly:

https://www.muckrock.com/accounts/agency_login/federal-energy-regulatory-commission-206/enron-datasets-68295/?uuid-login=8d5bad79-93ea-4b4e-93bf-9615e972020a&email=foia-ceii%40ferc.gov#agency-reply

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I am a member of the news media and request classification as such. I have previously written about the government and its activities, with some reaching over 100,000 readers in outlets such as Gizmodo, MuckRock, Motherboard, Property of the People, AND Magazine, Unicorn Riot, and more. As such, as I have a reasonable expectation of publication and my editorial and writing skills are well established. In addition, I discuss and comment on the files online and make them available through non-profits such as the library Internet Archive and the journalist non-profit, MuckRock, disseminating them to a large audience. While my research is not limited to this, a great deal of it, including this, focuses on the activities and attitudes of the government itself. As such, it is not necessary for me to demonstrate the relevance of this particular subject in advance.

Additionally, case law states that "proof of the ability to disseminate the released information to a broad cross-section of the public is not required." *Judicial Watch, Inc. v. Dep't of Justice*, 365 F.3d 1108, 1126 (D.C. Cir. 2004); see *Carney v. U.S. Dep't of Justice*, 19 F.3d 807, 814-15 (2d Cir. 1994). Further, courts have held that "qualified because it also had "firm" plans to "publish a number of . . . 'document sets'" concerning United States foreign and national security policy." Under this criteria, as well, I qualify as a member of the news media.

Additionally, courts have held that the news media status "focuses on the nature of the requester, not its request. The provision requires that the request be "made by" a representative of the news media. *Id.* § 552(a)(4)(A)(ii)(II). A newspaper reporter, for example, is a representative of the news media regardless of how much interest there is in the story for which he or she is requesting information." As such, the details of the request itself are moot for the purposes of determining the appropriate fee category.

As my primary purpose is to inform about government activities by reporting on it and making the raw data available, I request that fees be waived.